UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/652,166	08/31/2000	Paul Chan H. Tse	NORT-0067 (12825RRUS01U)	2631

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EXAMINER
ESCALANTE, OVIDIO

ART UNIT	PAPER NUMBER
2614	

DATE MAILED: 06/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Advisory Action ***Before the Filing of an Appeal Brief***	09/652,166	TSE, PAUL CHAN H.
	Examiner	Art Unit	
	Ovidio Escalante	2614	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>16 June 2006</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

   a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.

   b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

   Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

   (a)☐ They raise new issues that would require further consideration and/or search (see NOTE below);

   (b)☐ They raise the issue of new matter (see NOTE below);

   (c)☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d)☐ They present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☒ Applicant's reply has overcome the following rejection(s): <u>2,3,5,12,13,33,39</u>.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: <u>2,3,5,12,13,18,33 and 39</u>.

   Claim(s) objected to: _____.

   Claim(s) rejected: <u>6,8-11,14-16,19-21,25,26,28-32,35,37,38,40 and 41</u>.

   Claim(s) withdrawn from consideration: _____.

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>See Advisory Action Attachment.</u>

12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____

13. ☐ Other: _____.

OVIDIO ESCALANTE
PATENT EXAMINER Ovidio Escalante
Primary Examiner
Art Unit: 2614

Advisory Action

Regarding claims 6 and 19, Applicant contends that Burg in view of Gleneck do not

teach appending charge information (to be billed for the toll call) to the logical identifier since

the number "1" and "001" that is appended to the dialed number, as taught by Gleneck, is just a

generic prefix used by every caller for making a long distance call. The Examiner respectfully

disagrees.

As stated in the Final Rejection, the "1" indicates that the caller is establishing a long

distance toll call. Thus by appending the "1" to the number the system knows that billing

information needs to be processed. Long distance or international calls are routed to toll carriers

and thus by adding the "1" or "001" digits then charge information related to the toll calls are

processed.

Regarding claims 8,14 and 30, Applicant contends Burg in view of Gunasekar and

Donovan provided no motivation or suggestion to combine and Gunasekar does not disclose or

suggest adding calling card information to a call request to enable billing to the calling card

information since entering the calling card information into a website to deliver to a web server

as performed by Gunasekar, is completed different form adding calling card information to a call

request that is generated based on an indication of user selection of a hyperlink. The Examiner

respectfully disagrees.

In response to applicant's arguments against the references individually, one cannot show

nonobviousness by attacking references individually where the rejections are based on

combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re*

Merck & Co., 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

In the case hyperlink information was already provided by Burg. Gunasekar was used for the teaching of adding calling card information to a call request in an Internet web page. Since the calling card information is used for generation of a call request, then the examiner believes that it would have been obvious to add this information to the hyperlink of Burg as stated in the Final Office Action.

Regarding claim 33, the Examiner agrees with the Applicant and thus will drop the rejection.

Regarding claim 35, Applicant contends that Vaziri does not teach or suggest generating a call request containing one or more special characters. The Examiner respectfully disagrees.

Vaziri clearly teaches in paragraph 0074 that special characters can be added to a call request so that certain services can be used.